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SERVICE DATE - MAY 22, 2002

This notice will be included in the bound volumes of the STB printed reports at a later date.

EB

FR-4915-00-P

[STB Ex Parte No. 586]

Arbitration — Various Matters Relating to Its Use as an Effective Means of Resolving
Disputes That Are Subject to the Board's Jurisdiction

AGENCY: Surface Transportation Board.

ACTION: Final Rule.

SUMMARY: The Surface Transportation Board (Board) is making a technical amendment to its regulation at 49 CFR 1109.3, in order to correct a statutory reference to the Administrative Dispute Resolution Act, the numbering of which has changed.

EFFECTIVE DATE: May 28, 2002.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 565-1600. (TDD for the hearing impaired: (800) 877-8339).

SUPPLEMENTARY INFORMATION: A technical revision to 49 CFR 1109.3 is made to change the reference (relating to the confidentiality of ADR procedures) from "5 U.S.C. 584" to "5 U.S.C. 574" to reflect the transfer made by Pub. L. No. 102-354, §3(b)(2), Aug. 26, 1992, 106 Stat. 944. Because this change is merely a technical correction, it is being implemented without requesting public comment.

SMALL ENTITIES: The Board certifies that this rule will not have a significant economic effect on a substantial number of small entities.

ENVIRONMENT: This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

LIST OF SUBJECTS: 49 CFR Part 1109, Use of alternative dispute resolution in Board proceedings and those in which the Board is a party.

AUTHORITY: 49 U.S.C. 721(a).

DECIDED: May 20, 2002.

By the Board, Chairman Morgan and Vice Chairman Burkes.

Vernon A. Williams

Secretary

For the reasons set forth in the preamble, title 49, chapter X, Part 1109 of the Code of Federal Regulations, is amended as follows:

PART 1109 — Use of alternative dispute resolution in Board proceedings and those in which the Board is a party — [AMENDED]

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§1109.3 Confidentiality in ADR Matters

In all ADR matters involving the Board, whether under the Administrative Dispute Resolution Act or not, the confidentiality provisions of that Act (5 U.S.C. 574) shall bind the Board and all parties and neutrals in those ADR matters.

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